

**Remarks**

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, claims 1 and 3-11, and the abstract of the disclosure have been amended. Claim 2 has been canceled without prejudice or disclaimer, and new claim 20 has been added. Claims 1 and 3-20 are now pending in the application, with claims 12-19 withdrawn from consideration as being directed to a non-elected invention. Claims 1 and 12 are independent. The objections and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). The claims have been amended to more fully comply with U.S. practice. In view of the aforementioned claim amendments for compliance, new dependent claim 20 has been added to define features of the invention previously presented in original claim 5.

Claim 1 has also been amended to incorporate features of the invention previously presented in now-canceled claim 2. Entry of each of the amendments is respectfully requested.

Each of the objections to the sole drawing figure is respectfully traversed. First, as required, the drawing figure does show every feature of the invention specified in the claims. Instant claim 3 depends from claim 1. The drawing figure depicts the claimed "flow control means" (i.e., the illustrated elements 36, 38, and 42). See, e.g., Applicants' disclosure at specification page 6, the paragraph beginning with "[v]alve means, typically consisting of hose clamps."

Second, the drawing figure fully complies with the provisions of 37 CFR § 1.84(u)(1). No legend is allowed because § 1.84(u)(1) requires that "[w]here only a single view is used in an application to illustrate the claimed invention, it must not be numbered and the abbreviation 'FIG.' must not appear." Accordingly, reconsideration and withdrawal of the objections to the drawing figure are respectively requested.

35 U.S.C. § 102(b) - Stewart

Claims 1-4, 7, and 9-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,128,048 to Stewart.

The rejection under § 102(b) based on Stewart is respectfully deemed to be obviated. For at least the following reasons, the disclosure of Stewart does not anticipate Applicants' presently claimed invention.

Stewart's system is structurally and functionally different from Applicants' presently claimed device for separating blood into blood components. As indicated above in the introductory remarks, claim 1 has been amended to incorporate features of the invention previously presented in now-canceled claim 2. That is, instant claim 1 defines an embodiment of the invention in which "said second satellite container [is] connected to said collecting container through a conduit means that bypasses said filter, said flow control means being configured to allow fluid flow *from said second satellite container into said collecting container only through said conduit means that bypasses said filter.*" Contrary to the examiner's assertion (Office Action page 5), Stewart fails to teach this structural and functional feature of Applicants' claimed device.

And, instant claim 1 defines an embodiment of the invention in which "said leukocyte filter [is] configured to enable said first satellite container to receive from said collecting container a leukocyte depleted *platelet rich plasma* component (PRP) and to enable said second satellite container to receive from said collecting container a leukocyte depleted *packed red cells* component (PRC)." Stewart also fails to teach this structural and functional feature of Applicants' claimed device.

In fact, Stewart discloses a system that does not process platelets. Instead, Stewart's filter expressly removes "platelets from red blood cells" (column 5, lines 25-30). Stewart, therefore,

actually teaches away from a filter that lets platelets pass. Moreover, Stewart never discloses passing a platelet rich plasma component (PRP) through the filter. In each instance disclosed by Stewart, the PRP always bypasses the filtration device. That, however, is not Applicants' presently claimed invention.

Since Stewart does not meet each feature of the claimed invention, Stewart does not anticipate the invention defined by Applicants' instant claim 1. Claims 3, 4, 7, 9-11 and new claim 20 are allowable because they depend, either directly or indirectly, from claim 1, and for the subject matter recited therein.

35 U.S.C. § 103(a)

Since Stewart is the primary reference in each of the rejections under § 103(a) -- claims 5 and 6 as being unpatentable over Stewart in view of WO 03/063930 to Corbin et al. (hereinafter "Corbin"), and claim 8 as being unpatentable over Stewart in view of U.S. Patent No. 7,264,608 to Bischof et al. ("Bischof") -- each of these rejections is also respectfully deemed to be obviated. The combined disclosures of the cited references would not have rendered obvious Applicants' presently claimed invention because the disclosures of the additional references do not rectify any of the above-described deficiencies of Stewart.

Furthermore, there is simply no teaching in any of the references that would have led one to select the references and

U.S. Appln. No.: 10/527,451  
Atty. Docket No.: P70454US0

combine them in a way that would produce the invention defined by any of Applicants' presently pending claims.

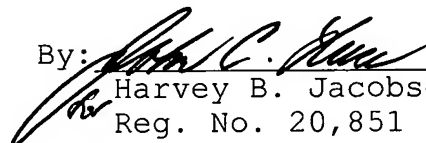
Therefore, the various combinations of references would not have rendered obvious the invention defined by any of Applicants' presently pending claims.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:

 *Harvey B. Jacobson, Jr.* Reg. No. 34,378  
Harvey B. Jacobson, Jr.  
Reg. No. 20,851

400 Seventh Street, N. W.  
Washington, D.C. 20004  
Telephone: (202) 638-6666  
Date: January 21, 2009